

From: workerscompensationsection-bounces+kay=gogginlaw.com@mailman.io.com
 [mailto:workerscompensationsection-bounces+kay=gogginlaw.com@mailman.io.com] **On Behalf Of** State Bar of Texas Workers Compensation Section

Sent: Thursday, May 12, 2011 1:53 PM

To: leo.lopez@hosue.state.tx.us; bob.cash@house.state.tx.us; brandy.marty@house.state.tx.us; brooke.boddy@house.state.tx.us; cari.christman@house.state.tx.us; celina.overbo@house.state.tx.us; david.homes@house.state.tx.us; debra.clonts@house.state.tx.us; jason.damen@house.state.tx.us; jay.burns@house.state.tx.us; jeannette.trail@house.state.tx.us; jessica.sann@house.state.tx.us; jim.reaves@house.state.tx.us; jj.garza@house.state.tx.us; kristine.donatello@house.state.tx.us; lisa.gomez@house.state.tx.us; lynette.kilgore@house.state.tx.us; lynsey.patrick@house.state.tx.us; Mark.Shewmaker_HC@house.state.tx.us; Melissa.Nichols@house.state.tx.us; pam.johnson-lawson@house.state.tx.us; patrick.johnson@house.state.tx.us; robin.blanchard@house.state.tx.us; rosemary.wynn@house.state.tx.us; shannon.shields@house.state.tx.us; tony.gray@house.state.tx.us; travis.griffin@house.state.tx.us; damon.withrow@senate.state.tx.us; janice.steffes@senate.state.tx.us; jason.anderson@senate.state.tx.us; jeff.burdett@senate.state.tx.us; jon.schnautz@senate.state.tx.us; Katharine.Volti@senate.state.tx.us; kenneth.besserman@senate.state.tx.us; linda.mueller@senate.state.tx.us; lisa.kaufman@senate.state.tx.us; michael.grimes@senate.state.tx.us; michelle.romero@senate.state.tx.us; ned.munoz@senate.state.tx.us; nick.james@senate.state.tx.us; paul.cowen@senate.state.tx.us; porter.wilson@senate.state.tx.us; robert.peeler@senate.state.tx.us; sherry.muller@senate.state.tx.us; stephen.rosales@senate.state.tx.us; zeke.reyna@senate.state.tx.us

Cc: Kristi Dowding

Subject: [Workerscompensationsection] OIEC Seeks Feedback on Ethics Rules

Hello Texas Legislature and Workers' Compensation Stakeholders:

The Office of Injured Employee Counsel is seeking feedback on the agency's proposed new ethics rules. Your feedback on these rules is greatly appreciated. Please see the attached memorandum.

Thank you,
 BW

Brian M. White
 Deputy Public Counsel/Chief of Staff
 Office of Injured Employee Counsel
 Telephone: (512) 804-4186
 Fax: (512) 804-4181

Kristi Dowding - Re: [Workerscompensationsection] OIEC Seeks Feedback on Ethics Rules

From: Chuck Cowan <chuckcowan@tyler.net>
To: "workerscompensationsection@mailman.io.com" <workerscompensationsection@...>
Date: 5/13/2011 12:37 PM
Subject: Re: [Workerscompensationsection] OIEC Seeks Feedback on Ethics Rules
CC: "<workerscompensationsection@mailman.io.com>" <workerscompensationsection@...>

Dear Brian:

I respectfully agree with all of Kay's comments on the "legitimate" language.

Likewise, I reurge my objection and concern over the "advocate" language. Ombudsman are NOT advocates and can not advocate for individual claimants. I believe that the enabling legislation makes that clear.

Lastly, I "think" it is possible to create a hyperlink directly to your intended subject (pages) vs. the general website where further "search" is required. Time is money for everyone.

Thanks for all you do for the injured workers!

Sincerely,

C. D. "Chuck" Cowan, Attorney
 Law Offices of C. D. Cowan, P.C.
 414 South Bonner Ave.
 Tyler, Texas 75702-8033

<http://www.texasinjurylawyer.net/>

On May 12, 2011, at 4:33 PM, State Bar of Texas Workers Compensation Section<workerscompensationsection@mailman.io.com> wrote:

Brian, the hyperlink did not work: while it took me to the Secretary of State page it says: **Sorry, but the requested file was not found**

But I will tell you I am concerned about the "must have a legitimate workers' compensation claim" language. If you mean it is a comp claim as opposed to a non-subscriber, then of course.

But I fear something much more worrisome. That you will pre-judge evidence and pick and choose your clients. Who is making that determination? I've had DWC, and OIEC, tell claimants they did not have a claim or other nonsense (can't get a hearing because some clerk decided she didn't like the evidence). Well, that is not your right nor responsibility to make that determination. Many of those discouraged claimants have ultimately prevailed. And just because a claimant does not prevail, it does not mean the claim was not legitimate. OEIC was designed to help unrepresented

claimants, and I think you should. OEIC should be representing claimants on the hard to handle claimants and claims. This is one reason OEIC was created. The private attorneys must screen clients for professional and economic reasons

I have been deeply disappointed in the current legislature for taking away our civil rights. "We The People" are being replaced by something that looks like the countries our brave military are fighting. This pre-judged "legitimate claim" is just one more example of disenfranchisement.

Once I can actually see your proposed rules, I can give specific comments.

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Sincerely,

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